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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	44471/
Inventors	Katsuo KUMAGAI; Kenzo KAI; and Ken-ichi KOMINE
Title	Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent
Express Mail Label No.	EV 212829943US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 30]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 0]
5. Oath or Declaration [Total Pages 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Commissioner for Patents  
Mailstop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment:
  - a. ☐ Assignment Papers (cover sheet & document(s))
  - b. ☒ Assignment is of record in parent application No. 09/995,040
10. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Petition for Extension of Time in parent application.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/995,040

Prior application information: Examiner G. Krishnan

Group / Art Unit: 1623

Recite complete dependency back to first parent application: This application is a continuation of U.S. Patent Application Serial No. 09/995,040, filed November 26, 2001.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number

23370

Name (Print/Type)	Janina A. Malone	Registration No. (Attorney/Agent)	47,768
Signature			Date
			July 28, 2003

17302 U.S. PTO  
10/629117  
07/28/03

1716991.S.PTC  
07/28/03

**FEE TRANSMITTAL**

Attorney Docket No. **44471/**\_\_\_\_\_

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **Katsuo KUMAGAI et al.**

Filing Date: **Herewith**

Title: **Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent**

The filing fee is calculated as shown below:

**1. FILING FEE:**

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$375		\$750	750
<input type="checkbox"/> DESIGN FILING FEE	\$165		\$330	
<input type="checkbox"/> PLANT FILING FEE	\$260		\$520	
<input type="checkbox"/> REISSUE FILING FEE	\$375		\$750	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80		\$160	
SUBTOTAL (1)		\$		\$750.00

**2. CLAIMS:**

SMALL ENTITY				LARGE ENTITY		
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	5 - 20 =	0	x 9 =		x 18 =	-0-
INDEP. CLAIMS	3 - 3 =	0	x 42 =		x 84 =	-0-
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =		+280 =	
SUBTOTAL (2)				\$		\$-0-

**3. ADDITIONAL FEES:**

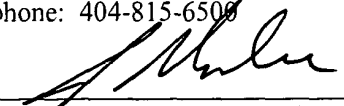
SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER				
SUBTOTAL (3)		\$		\$

**TOTAL FILING FEES: \$750.00**

A check is enclosed for the total amount: **\$750.00**

☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

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By:   
Janina A. Malone, Attorney for Applicant  
Reg. No. 47,768

Date: 7/28/05

DUPLICATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
**Katsuo KUMAGAI et al.** )  
)  
Serial No. **09/995,040** )  
)  
Filed: **November 26, 2001** )  
)  
For: **Therapeutic Agent for Mastitis of** )  
**Livestock and Method for Treating** )  
**Mastitis Using the Same Agent** )

Art Unit: **1623**  
Examiner: **G. Krishnan**

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

The above-identified applicants respectfully request a three-month extension of time within which to file a response to the Office Action dated January 28, 2003, to expire July 28, 2003. A check in the amount of \$875.00 is enclosed herewith to cover the fee for a three-month extension, minus the \$55.00 fee for the one month extension of time filed June 2, 2003. **Please note that applicants have recently become a large entity.**

Please charge any additional fees, or credit any overpayment, to Deposit Account 11-0855. A duplicate copy of this sheet is attached.

Respectfully submitted,



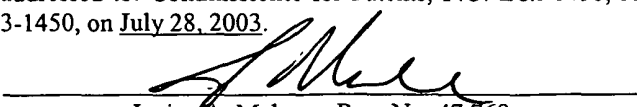
Janina A. Malone

Reg. No. 47,768

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Our Docket: 44471/267257

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I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 212829943 US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 28, 2003.



Janina A. Malone - Reg. No. 47,768